

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CHRISTOPHER BURR, et al.,

Case No. 2:20-CV-1101 JCM (EJY)

**Plaintiff(s),**

V.

**CLARK COUNTY DEPARTMENT OF  
FAMILY SERVICES, et al.,**

## ORDER

Defendant(s).

Presently before the court is plaintiffs Christopher Burr and Susan Hoy (collectively, “plaintiffs”)’s motion to remand this case to state court. (ECF No. 106). Defendants Heather Mumney (“Mumney”), Jonel Kaye Querrer, and County of Clark (“County”) (collectively, “defendants”) did not file a response to plaintiffs’ motion.

On September 12, 2023, this court granted in part and denied in part Mummey and County’s motion for summary judgment. (ECF No. 103). The court granted summary judgment as to plaintiffs’ §1983 claims against Mummey and County and denied summary judgment as to plaintiffs’ negligence claim against County. (*Id.* at 11-12). Accordingly, no federal claims remain in this action.

Local Rule 7-2 elucidates that “[t]he failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney’s fees, constitutes a consent to the granting of the motion.” LR 7-2(d).

1 Plaintiffs filed their motion to remand on September 26, 2023. (ECF No. 106).  
2 Defendants had until October 10, 2023, to respond to the motion, but they failed to do so.  
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4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiffs Christopher  
6 Burr and Susan Hoy's motion to remand this case to state court (ECF No. 106) be, and the same  
7 hereby is, GRANTED.

8 The clerk shall enter judgment and close this case.<sup>1</sup>  
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10 DATED February 28, 2024.  
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13 UNITED STATES DISTRICT JUDGE  
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28 <sup>1</sup> The court's order on defendants' motion for attorney's fees (ECF No. 105) is  
forthcoming.